

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION – CINCINNATI

UNITED STATES OF AMERICA,	:	Case No. 1:85-cr-56
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
BRIAN DORNELL CROSTY,	:	
	:	
Defendant.	:	

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ORDER DENYING DEFENDANT’S SECOND  
MOTION TO EXPUNGE RECORD (Doc. 4)

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This matter is before the Court on Defendant’s Second Motion to Expunge Record (Doc. 4). In seeking to expunge his federal criminal record, Defendant bears the burden of demonstrating this Court’s jurisdiction. *United States v. Catron*, No. 1:11-CR-12-16, 2024 WL 4679356, at \*1 (N.D. Ohio Nov. 5, 2024) (citing *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994)).

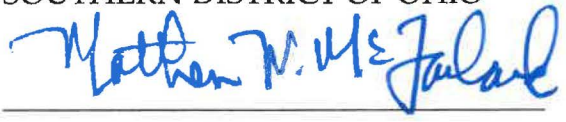
Certain federal statutes permit expunging criminal records in limited situations, but Defendant has not shown how any apply to his circumstances here. *See United States v. Lucido*, 612 F.3d 871, 874 (6th Cir. 2010) (explaining that specific federal statutes may permit expungements but that none were applicable). Although a federal court may retain ancillary jurisdiction over motions for expungement in order to manage its proceedings, vindicate its authority, or effectuate its decrees when a defendant challenges an unconstitutional conviction, *United States v. Fields*, 756 F.3d 911, 916 (6th Cir. 2014),

Defendant makes no such claim here. To be sure, the Court recognizes Defendant's acknowledgement that criminal convictions can make it more difficult to secure employment. (Second Motion, Doc. 4, Pg. ID 7.) This does not, however, change the conclusion that the Court lacks jurisdiction. *See United States v. Stephens*, No. 1:97-CR-87, 2023 WL 4137228, at \*2 (S.D. Ohio June 22, 2023) (collecting cases).

For these reasons, the Court lacks jurisdiction, and Defendant's Motion to Expunge Record (Doc. 4) is **DENIED**. This matter shall be **TERMINATED** from the Court's docket.

**IT IS SO ORDERED.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO

By:   
JUDGE MATTHEW W. McFARLAND